Amendments to the Claims

Please amend claims 1, 9-13, 15, 22-23, 26 and 32 as indicated in the listing of claims.

Please cancel claims 2-8 and 17-21.

Claims 14 and 33 were previously canceled and withdrawn, respectively.

The listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

1. (Currently amended) [[A]] An enriched ~~cell culture~~ population of cells comprising, ~~a human embryoid body derived (EBD) cells, wherein the~~ cells ~~are~~ characterized by;

not ~~causing formation of a teratoma when injected into~~ having teratogenic properties in SCID mice[[,]] , and

~~and wherein at least some of the cells simultaneously express~~ expressing at least a first and a second polypeptide or mRNA marker ~~markers that are characteristic of~~ from at least two different cell types, wherein the cell types are selected from ectodermal cells, ~~a~~ mesodermal cells, or endodermal cells, and wherein the first marker is selected from the group consisting of nestin, vimentin, neurofilament light isoform, microtubule-associated protein 2c, tau, nonphosphorylated neurofilament heavy isoform, neuron-specific enolase, tyrosine hydroxylase, glial fibrillary acidic protein, CNPase, and galactocerebroside, and the second marker is selected from the group consisting of myf-6, myosin light-chain 2 ventricular isoform, flk1, α-1-fetoprotein, and GATA-4.

2-8. (Canceled)

9. (Currently amended). The ~~culture~~ cells of claim 1, wherein ~~that~~ under suitable cell culture conditions ~~proliferates~~ the cells proliferate for at least thirty population doublings without being immortal under said conditions.

10. (Currently amended) The ~~culture of claim 9~~ cells of claim 1, wherein ~~that~~ under suitable cell culture conditions ~~proliferates~~ the cells proliferate for at least sixty population doublings.

11. (Currently amended) The ~~culture of claim 1~~ cells of claim 1, wherein ~~that proliferates~~ the cells proliferate under ~~cell~~ suitable cell culture conditions that are nonpermissive for proliferation of human embryonic germ cells.

12. (Currently amended) The ~~culture of claim 11~~ cells of claim 1, wherein ~~that proliferates~~ the cells proliferate ~~in a media~~ under suitable cell culture conditions ~~that lacks~~ lacking leukemia inhibitory factor, a fibroblast feeder layer, or both.

13. (Currently amended) The ~~culture~~ cells of claim 1, wherein ~~said~~ the cells are transfectable with a retrovirus or a lentivirus or both.

14. (Canceled)

15. (Currently amended) The ~~culture~~ cells of claim 1, wherein ~~that is~~ the cells are clonal.

16. (Currently amended). The culture of claim 15, wherein ~~that is~~ the cells are clonally derived from a single embryoid body derived (EBD) cell.

17-21. (Canceled).

22. (Currently amended) A method of making a ~~human EBD cell culture~~ an enriched population of cells comprising:

(a) culturing ~~human embryonic germ~~ primordial germ cells under conditions that are

suitable for formation of cystic embryoid bodies,

(b) dissociating the cystic embryoid bodies to provide a constituent cell, and

(c) culturing the constituent cell under conditions suitable to produce a ~~human EBD cell culture~~ population of cells in serum, reduced serum or serum-free media and further comprising ~~at least some~~ cells ~~in the culture~~ which simultaneously express a first and a second polypeptide or mRNA ~~markers~~ marker that ~~are~~ is characteristic of at least two different cell types, wherein the cell types are selected from the group consisting of an ectodermal cell, a mesodermal cell, and an endodermal cell, and wherein the first marker is selected from the group consisting of nestin, vimentin, neurofilament light isoform, microtubule-associated protein 2c, tau, nonphosphorylated neurofilament heavy isoform, neuron-specific enolase, tyrosine hydroxylase, glial fibrillary acidic protein, CNPase, and galactocerebroside and the second marker is selected from the group consisting of myf-6, myosin light-chain 2 ventricular isoform, flk-1, α-1-fetoprotein and GATA-4.

23. (Currently amended) The method of claim 22 comprising selecting a single ~~EBD~~ cell from the EBD cell culture and culturing the single EBD cell to produce a clonal ~~EBD cell culture~~ population of cells.

24. (Original) The method of claim 22 comprising culturing the constituent cell in a media comprising human basic fibroblast growth factor.

25. (Previously presented) The method of claim 24 comprising culturing the constituent cell in a media selected from the group consisting of RPMI 1640 supplemented with 15% FCS and media consisting essentially of hEGF, hydrocortisone, gentamicin, amphotericin-B, fetal bovine serum, VEGF, hFGF, heparin, recombinant human IGF-1 and ascorbic acid.

26. (Currently amended) The method of claim 25 comprising culturing the constituent cell in a media consisting essentially of hEGF, hydrocortisone, gentamicin, amphotericin-B, fetal bovine serum, VEGF, hFGF, heparin, recombinant human IGF-1 and ascorbic acid.

27. (Original) The method of claim 22 comprising culturing the constituent cell on a matrix.

28. (Original) The method of claim 27 comprising culturing the constituent cell on a matrix that is selected from the group consisting of collagen I, human extracellular matrix, and tissue culture-treated plastic.

29. (Original) The method of claim 28 comprising culturing the constituent cell on a matrix selected from the group consisting of collagen I and human extracellular matrix.

30. (Original) The method of claim 22 comprising culturing the constituent cell on a media that is not permissive for proliferation of the EG cells.

31. (Original) The method of claim 30 comprising culturing the constituent cell on a media lacking leukemia inhibitory factor, a fibroblast feeder layer, or both.

32. (Currently amended) The method of claim 22 comprising culturing the ~~EBD cell culture~~ population of cells for at least 30 population doublings.

33. (Withdrawn) A method of treating a human disease or injury comprising introducing a composition comprising an EBD cell or EBD cell culture into the body of a patient having the disease or injury.